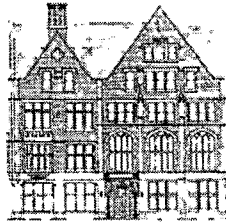


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10 January 2019

VIA ELECTRONIC MAIL

Chambers of The Honorable Gerald A. McHugh
United States District Court
for the Eastern District of Pennsylvania
601 Market Street, Room 9613
Philadelphia, PA 19106

Re: Peruto v. Amazon Alternative, LLC, et al.
Case No. 18-cv-4468

Dear Judge McHugh:

In preparation for the conference call tomorrow, I write to briefly respond to Mr. Berry's letter. It regrettably misstates the entire import of Plaintiff's Motion for Temporary Restraining Order and Expedited Discovery (which has been in the defendants' possession since October, 2018, prior to when this matter was Removed). There are no issues of prior restraint; Plaintiff simply seeks to stop the defendants from using the illegally obtained recordings. The defendants are free to use the properly obtained audio or video. However, the defendants have already used the illegally obtained recordings, in manipulated form, and spread them through, among other sources, TMZ. These manipulated sound bites are now all over YouTube and other public sources, and there is little reason to believe that further manipulation of this illegally obtained data will not occur. Hence the Motion.

We are in the process of setting the call for tomorrow at 10:30, and will report to all when it is arranged.

Respectfully submitted,

THE BEASLEY FIRM, LLC

JAMES E. BEASLEY, JR.

JBj/rmd
cc: All counsel